

Chelsea Hospital
Petition

CUP 21 g. 39/21



TO THE
KING's most Excellent Majesty,
AND HIS
Most Honourable Privy Council:

TO the Right Honourable the Lords, Spiritual, and Temporal,
and the Honourable the Knights, Citizens and Burgeses of
GREAT-BRITAIN in Parliament Assembled.

The Petition and Case of EDWARD MAC-MANUS.
Most Humbly SHEWETH.



THAT the Petitioner was the first Person who made a Discovery of the Frauds relating to *Chelsea Hospital* in the Year 1713 Which *Crispe* (being then Secretary to the Lords Commissioners and by Clandestine means stifling his Evidence) your Petitioner at that Time was barr'd of an Opportunity of proving what he (otherwise) fully and plainly cou'd have done. Notwithstanding *Crispe*, and his Confederates had at that very Payment defrauded the Government of above 10000*l.* which was divided in *Chelsea Gardens* by the *Thames* side.

THAT the Method these persons took to defraud the Government was by filling the Books with fictitious names, and by procuring men for the value of a Crown, or half a Crown each to sign the Books, and answer to their respective names, Letters of attorney being Enter'd in the Books at *Chelsea*, and made over to some of their own accomplices, who by these means receiv'd a years pay or two for every feign'd name that was on the Bookes.

THAT at the Dividing the Said money viz the 10000*l.* they happen'd to disagree, and some of them thinking they were not admitted to an equal Share, were heard to say That they wou'd joyn with *MAC-MANUS* (your Petitioner) and forward his Discovery.

THAT after his Majesty's accension to the throne in the year 1714 Your Petitioner finding that *Crispe* had not then the same Intrest as he usually had before, proceeded with the said discovery; But was taken up by *Crispe* and his Agents with Several sham actions, and cast into the *Marshalsea* in order to prevent the said Discovery.

THAT after nine weeks confinement. The Prosecution appearing to the Court to be malicious, Your Petitioner was discharg'd whereupon he forthwith apply'd to the Right Honourable the Lord *Townsend*, and the late Earl *Stanhope* (then Principal Secretaries of State) also to the late Lord *Hallifax*, Sir *Richard Onslow*. Mr. *Wortley Mountague* and the rest of the Lords of the Treasury whom your Petitioner inform'd, and gave it under his hand to Mr. *Wortley Mountague* that he would save the Government at that payment 70000*l.* In regard whereunto Mr. *Wortley* call'd Chevilier his Clerk, and gave him your Petitioners account of the said Discovery with Directions to deliver it to Mr. *Loundes* Secretary to their Lordships of the Treasury. Your Petitioner telling Mr. *Wortley Mountague* that if he doubred of what your Petitioner had declar'd he wou'd willingly be confin'd under the custody of a Messenger till he shou'd make it fully appear. But Your Petitioner was apprehensive of being arrested by sham Actions as he was before when Your Petitioner wrote to Esquire *Howe* to put a stop to the payment of *Chelsea Hospital* to the end the Government might not be defrauded, which Mr. *Howe* Readily did; and Your Petitioner wrote several Letters to Mr. *Howe* who by letter acknowledged the Receipt of all of them and his having transmitted them to the Lords of the Treasury to whom he adv's'd your Petitioner to apply himself and the Petitioner accordingly apply'd to Mr. *Wortley Mountague* several times Relating to the said Frauds who required your Petitioner to have a little patience in regard there were Twelve Commissioners appointed for *Chelsea Hospital* But that the major part of them were gone into the Country to be chosen members of Parliament and that as soon as they return'd they wou'd Recieve Orders to sit, and inspect into the affair, with all Signifying to your Petitioner to observe when Brigadier *Stanwix* (who was appointed Governor of *Chelsea Hospital*) shou'd come to town which your Petitioner accordingly did. and at his arrival your Petitioner waited on him, and took with him one *Peter Tibbald* who for some years was concern'd in the said frauds; Your Petitioner Spurring him on by telling him that if he did not come and bring all his Papers, he wou'd assuredly oblige him to refund what ever money he had clandestinely receiv'd in wrong of the Government which occasion'd the said *Tibbald* to bring in his Papers whereby it appear'd that *Tibbald* was to have receiv'd at that payment 1825*l.* 19*s.* 6*d.* which was brought to light by your Petitioner having privately desir'd Brigadier *Stanwix* and Colonel *Chudleigh* to cause the said *Tibbald* to be seized whereby he found upon him all the papers Relating to the said frauds and by those papers it plainly appear'd that his Confederates were to Recieve Several Thousand pounds more.

THAT Brigadier Stanwix, and Colonel Chudleigh order'd your Petitioner to wait on them the next Day by himself, which he did, and they directed him to meet them at Mr. Walpole's Office at the Horse-Guards, where he declared, what he had before lay'd open to Mr. Worrell Mountague; upon which Mr. Walpole immediately calling a Board, and it appearing to the Commissioners that the Petitioner had alledg'd nothing but what was matter of fact. They protected him from all civil Process.

THAT John Le Maire, Daniel O. Bryan, Peter Villeneuve, and Paul Brulette who had been guilty of the said Frauds for some Years before, and very villanously at several times impos'd on the Government, by writing Letters to the Treasury subscribing the two first Letters of their names placing the first Letter of their Surnames first, as John Le Maire L. I Peter Villeneuve V. P. Paul Brulette B. P. in order when they shou'd happen to disagree with Crispe and Nodes to fright them, without intending to make any Discovery. The Lords of the Treasury advertizing in the Gazette's next Publication after such Letters written; That whoever would come in, and make good the Allegations mention'd in the said Letters shou'd be suitably rewarded. THEREUPON at a Meeting held by Crispe and Nodes the said Crispe Establish'd a certain Annual Pension amounting to 5 or 600 l per Annum, on Each of them.

THAT this (upon Examination before the Commissioners) appearing to be real matter of fact They immediately issued out an Advertisement in the Gazette with the Reward of 100 l. Each for any Person who shou'd apprehend the said Daniel O. Bryan and John Le Maire, and 50 l Each for the said Brulette and Villeneuve as is to be seen in the Gazette bearing Date from March the 12 th. to March the 15 th. 1714.

THAT the Petitioner being in close Pursuit of them, the said Persons surrender'd themselves. John Le Maire, Peter Villeneuve and Paul Brulette turning Evidences; But soon after they came in, finding your Petitioner was protect'd from civil Process, they contriv'd to have your Petitioner try'd for his Life in Fourteen Hours Time; of which your Petitioner was not only acquitted, but likewise granted a Copy of his Acquittal, the Court adjudging it a malicious Prosecution, as appears by the following Certificate from Justice Saunders.

Midx, } I do hereby certify That Jane Rogers prosecuted Edward Mac-Manus at the Old Bailey for Felony, whereof he was acquitted, it being adjudg'd a malicious Prosecution, and in Order to take off the KING's Evidence in Relation to the Frauds of Chelsea Hospital and thereon had a Copy of his Indictment order'd, him by the Court.
Westmr, }

Given under my hand this 10 th Day. of June 1716.

I. SAUNDERS.

THAT your Petitioner commenc'd his Action at Common Law against them, and recover'd 120 l. Damages. But upon the Tryal the said Jane Rogers procur'd Two Evidences dress'd like Officers who said they belong'd to Colonel O'Hara's Regiment, and swore her Husband to be a live at Port-Mahone, tho' he had been dead ten Years, as appear'd by the Evidence of the Minister and the Register-Books of St. James's Parish, and notwithstanding she had sworn herself a Widdow, upon Examination before the Commissioners, as Justice Saunders can testify.

THERE was likewise an Indictment of Conspiracy lodg'd by Sir Edward Northey, and Mr. Lechmere, the then Attorney and Solicitor General, when your Petitioner brought to Tryal, they having mov'd it from Court to Court, in order to prevent the Prosecution; supposing your Petitioner wou'd have dropt it: But finding the contrary and hearing that he had a *Capias* against them, they absconded as appear'd by a Certificate from Mr. Harcourt Clerk of the Crown, to the Lord Chief-Justice Parker, now Lord High Chancellor our bearing Date the 4 th. of December 1716. For which Indictment of Conspiracy Sir Edward Northey sent the following Order to the Clerk of the Crown.

Mr. Harcourt.

I desire you will settle this Indictment and add the Prosecution till the Prosecutor was acquitted.

Edward Northey.

THAT Sir Edward Northey's Opinion to my late Lord Chief-Justice Parker (as aforesaid) of your Petitioner's Case, was that he conceiv'd your Petitioner had a probable Cause of Action.

THAT in the Year 1713 your Petitioner took up the said Rogers by Virtue of the Judgement he had against her, and a *Capias* out of the Crown against John Le Maire; But by the Directions of Ch. De-La-Faye Esq; she was rescued from the Officer, which caus'd your Petitioner to go to Mr. Cracherode and shewing him the Record of the Judgment, complain'd of the Usage he had receiv'd from Mr. De-La-Faye. And your Petitioner Three Days after he had made his Complaint to Mr. Cracherode was taken into Custody and detain'd in a *Marshalsea* of Old Soho, John Raughell, James Hill Brother to the Prince's Peruke-maker, Charles Fitz Patrick Surgeon of Old Soho and Matthew Macmanus with Two or Three others, by which Means all other your Petitioner's Friends and Acquaintance were deter'd from coming near him even so much as to bring or carry a Message.

THAT your Petitioner was put under this Confinement by the said De-La-Faye, tho' your Petitioner inform'd him that he was upon a Prosecution relating to the Frauds of Chelsea-Hospital, and that it was to be try'd that very Term. And that there was likewise a Prosecution of the same Nature against Daniel O. Bryan who was exempted out of the Act as likewise Three Informations against Dennis O. Bryan the said Daniels's Cousin for seditious Words against his Majesty, of which the said Mr. De-La-Faye took no Notice, nor wou'd he accept of any Bail, but sent the Petitioner to Newgate Three or Four Days before the Sessions, where likewise no Friend dare come to him for Fear of Confinement also.

THAT the Person who rescued the said Jane Rogers from your Petitioner was an Evidence against him for speaking seditious Words, but it appearing to the Court to be a malicious Prosecution, was disannul'd and by Order of Court branded in the publick Prints for wilfull Perjury.

THAT the Petitioner was afterwards thrown into the *Marshalsea* by several sham Actions where he continued a considerable Time, and upon his discharging one Action, they immediately lodg'd another against him and the Petitioner being in prospect of his Enlargement, some time after they lodg'd three other Warrants against him: One for seditious Words, Notwithstanding the Petitioner was not out of Prison from the time of his first going in, nor was he permitted to know his Prosecutor.

THAT the O. Bryans made a common practice of taking up the Evidences, relating to the Frauds of Chelsea Hospital; till the Petitioner interrupted their Proceedings.

THAT Whereas your Petitioner had promis'd to save the Nation 70000 l. at the Payment, upon ballancing the Accompts, it was found there had been sav'd 76,741 l. 5 s. 0 d. besides the Reduction of 5046 Annual Men,

THAT this prosecution has for about 6 Years past been screen'd, Notwithstanding there was not a Term wherein your Petitioner did not urge for a Tryal, till he was clandestinely put under Confinement, during all which Time, the Government has been at the Charge of allowing Eight Shillings per Week to One and Twenty Evidences.

THAT in the Year 1717 upon the Examination of the Half-pay Officers, your Petitioner waited on General Wills, and lay'd before him that O. Bryan, Cary and several others had forg'd Commissions and were Establish'd upon Half-pay, which Commissions your Petitioner seiz'd and had in his Custody. Your Petitioner seiz'd the said Persons at his Own Charge and occasion'd their Commitment to Newgate, and some of the said Forg'd Commissions are now in the Treasury.

THAT your Petitioner was thereupon convey'd from Newgate to Hicks's-Hall to prosecute the said O. Bryan he being discharg'd of the Information for seditious Words, where they prefer'd Three other Indictments against your petitioner; But the Court finding the whole Transaction to be the Effect of Malice refus'd, and would not grant your Petitioner's Adversaries a Bench-Warrant, which caus'd them to go to Mr. Rolfe one of the Clerks there from whom they obtain'd a Certificate, by Virtue whereof they lodg'd Three Commitments against your Petitioner, the Court being farther appriz'd of your Petitioner's Grievance order'd Justice St. Lee off the Bench to take any Bail for your Petitioner, because it was very chargeable to give Bail in Court.



THAT Mr. *Techmere* the late Attorney General sent your Petitioner's Antagonist a summons to shew Cause why a *Noli Prosequi* shou'd not be enter'd, but they finding your Petitioner had brought his Friend to appear in his behalf wou'd not attend.

THAT Three Months afterwards at the coming on of *Dennis O. Bryan's* Tryal at the Quarter Sessions Mr. *Cracherode* being out of Town Mr. *De La-Faye* appear'd in behalf of the said *O. Bryan* and endeavour'd as much as in him lay to render your Petitioner an infamous Man, all these Measures were contriv'd to destroy your Petitioner's Evidence against those Persons who were exempted out of the Act. Your Petitioner having oppos'd Mr. *Crispe* when ever he put in for a *Noli Prosequi* by laying a state of the Case before the KING, which Case then lay before Mr. Secretary *Addison*.

THAT the Petitioner did disburse 500*l* to compleat this Discovery, and Mr. *Pultney*, being then Secretary at War promis'd your Petitioner a Return of the Money he had disburs'd, beside a Reward for his so real Services done to the Government

THAT your Petitioner had likewise a Reference to the Lords Commissioners of *Chelsea-Hospital* to the same Effect.

THAT the Evidences who were under the Pension of 8*s. per Week* have lost 1000*l*. by that very Payment, *O. Bryan* having lost 500*l* for his own share, and the rest in Proportion, and this is the only Reason that induces them to seek your Petitioner's Destruction, right or wrong.

THAT the Lords Commissioners having finish'd their Examination of the said Frauds, presented the same to his Majesty in Council, who was pleas'd to order it to be publish'd, and insert'd these Words. *That what was appointed for the Relief of the Poor wou'd have been a burthen to the Nation, had it not been timely detected.*

THAT your Petitioner can prove there hath been 20000*l* of the publick Money sav'd by the said Discovery since his Majesty's Accession to the Throne.

THAT 'tis not the Money owing to the Petitioner by the Persons who were protect'd by Mr. *De-La-Faye* from Punishment which gives your Petitioner so much uneasiness, but that they were at the same time screen'd from all Process by him, and at that very Juncture were at full Liberty to prosecute your Petitioner, who then lay under Confinement at their clandestine Suit tho' he had no other dealings with them. Otherwise than that of detecting their notorious frauds as has appear'd to the Judges of his Majesties Court.

THAT the neglecting to make publick Examples of the aforesaid Offenders will undoubtedly encourage any Person who has Opportunity in a Place of Trust under his Majesty, to defraud the Nation, and convert the publick Money to their Own Use.

THAT your Petitioner cou'd not have presum'd to have made use of so many Noble Personages names before mentioned, If he cou'd not have justify'd the Truth of what he has alleg'd.

THAT your Petitioner has frequently attended the late Lord *Stanhope*, and wou'd have open'd his Grievance to him But Mr. *De-La-Faye* wou'd not suffer your Petitioner to prosecute his design But threatned him if he came near the Office to commit your Petitioner to *Newgate* again. Your Petitioner most humbly hopes, That your Right Honourable Houses will take his deplorable Case into your mature consideration no man having suffer'd more unjustly by the hands of those malignant men who are obnoxious to the Government.

THAT *Daniel O. Bryan* endeavour'd to impose on the Lords Commissioners by procuring persons to answer to fictitious names upon the Books at the last Examination tho' himself was then actually under Prosecution, as *William Kelly* by the name of *Thomas Hutchinson*, *Richard Meakins* by the name of *Richard Moore*, *Edward Rhine* by the name of *Edward Wright*; But your Petitioner attending the Lords during the whole Examination detected their Designs.

THAT there is one *Holloway* formerly an Hostler, and who was one of their Confederates who is now accounted to be worth 20000*l*. of which were it to be divided, your Petitioner can prove Ten of them belonging to the Government, which still there may be found a method of recovering by stopping the Money he has now at use for about 2000 pensioners in *Chelsea-Hospital*.

THAT your Petitioner after coming from *Guilford Assizes* where he was acquitted and his case deem'd to be very hard and his Usage notoriously barbarous. The abovementioned accomplices further to perpetrate, their Vile designs and in order to crush your Petitioner that they might avoid the punishment justly due to their demerits prefer'd other Informations against him of which your Petitioner was likewise discharged. The Judges of the Kings Bench looking upon the same to be Villianous and Millicious and finding that there was no prosecution after that they farther persued their Designs and under what pretence your Petitioner knows not They brought him back to Goal, and lock'd him in a hole, fetter'd sheer'd and handcuff'd with at least 150 weight of Iron, and hired people to murder him, who so far effected it as that by the Wounds and bruises, he receiv'd and lost of blood, his life was despair'd of near Twelve nights and days Surgeons and attendance being forced to tarry with him that time.

THAT the Confederates yet resolving to prevent your Petitioner from serving the Government, and making good the allegations of his Petition again hurried him to *Newgate* where he must have perished had not his Majesties Judges once more justly interpos'd their authority. and as your Petitioner has great Reason to believe and humbly hopes to prove the sole Prosecution against him was countenanc'd if not carry'd on by Mr. *De-La-Faye* and Mr. *Cracherode* and the Prosecutors by them Screen'd from justice, and the Petitioner hindred the benefit of the discovery tho' to the advantage of the Government.

THAT the several Informations Evidences and Papers relating to, and of absolute Necessity to be made use of for, the Discovery and Detection of the frauds are in the Hands of Mr. *Cracheberode* or Mr. *Seawix* the Solicitor for *Chelsea Colledge*, and by them or one of them, handed about purely to defraud as well the Government as your Petitioner, notwithstanding Twenty Two Evidences were kept, at a vast Expence of the Government for five Years or thereabout, at the rate of Eight shilling per Man per Week amounting together to 2000*l* or upwards, tho' your Petitioner as above hath been kept Starving and unregarded in a Goal, and undone and ruin'd for his innocent and well meant Design of Serving his Country.

THAT your Petitioner has no where Room to apply for justice from but your Right Honourable Houses the Eminent body of the Nation who have always held your Orders and Injunction sacred. and if Exempts in an Act of Parliament must pass unpunish'd 20000*l*. sav'd for the Nation, wink'd at, and the Author fit go free, and the Discoverer ruin'd and prosecuted almost to Death what Encouragement with humble Submission can there be for any man to serve his Country.

THAT your Petitioner has been wickedly and Maliciously bespatter'd and bely'd by the Emisaries of the Cheats above mention'd who have Endeavour'd to persuade the World that this was a party Cause, and that he was no more than a Vile Informer which is far from Truth, for your Petitioner solemnly declares he never intermeddled with any Party-Cause whatsoever; His Intention being only to detect the villany and Frauds of such who Nourished Cheats with those Pensions which were originally appointed for the Use and Benefit of the Poor.

THEREFORE he humbly implores the protection and Encouragement of your Lordships and the Right Honourable, and Honourable the Commons of Great Britain That he may be heard to make his allegations good That he may have the benefits proposed by his Majesties Proclamations and the Grants, be relieved in his hard Sufferings and false imprisonment for six years past the vast Expence of which hath reduc'd him to the greatest poverty; as in the greater wisdom and justice of these August Assemblies shall seem most meet.

AND (as in humble Duty bound) Your Petitioner will ever pray &c.

THE
HUMBLE PETITION
AND
CASE
OF
EDWARD MAC-MINNIS

